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SIPDIS

DEPARTMENT FOR NEA/ARP, IO, S/SRMC

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TAGS: KIRF KISL KWBG KWMN PGOV PHUM PREL SA OIC

SUBJECT: OIC ISLAMIC FIQH ACADEMY SECRETARY GENERAL
DISCUSSES FATWAS ON BANKING, WOMEN, TEST TUBE BABIES,
TERRORISM AND THE PALESTINIANS

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Classified By: Consul General Martin R. Quinn for reasons 1.4 (b) and (d)

SUMMARY

1.(C) Dr. Abdulsalaam Al-Abadi, Secretary General of the Islamic Fiqh (Jurisprudence) Academy, an Organization of the Islamic Conference(OIC)-affiliated institution, provided an overview of the Academy's activities and its rulings, including those related to terrorism and the Palestinian/Israeli conflict, during August meeting with Consulate PolOff. It was envisioned that women might eventually be able to join the Academy's Council while the President's Cairo speech in June was greeted with "great interest." Although the Fiqh Academy's ability to incorporate the views of various Islamic schools of thought before issuing a ruling has enhanced its reputation and garnered a degree of respect in the Muslim world, the political disagreements among OIC member states clearly limit the institution's ability to address complexities related to the Israeli-Palestinian conflict or to condemn acts of terror by Hamas or Hizbullah. END SUMMARY.

BACKGROUND

2.(SBU) Fiqh(Islamic Jurisprudence) is the methodology used by Islamic scholars to derive Islamic law on issues in which the Quran and Sunnah (Practices of the Prophet) are silent. Thus, Fiqh complements Sharia (Islamic Law) with rulings that evolve as new circumstances and issues arise.

THE ACADEMY'S COMPOSITION

3.(SBU) In August 25 meeting with Jeddah Poloff, Dr. Abdulsalaam Al-Abadi, Secretary General of the Islamic Fiqh (Jurisprudence) Academy, outlined the academy's origin and composition. (NOTE: Al-Abadi, Vice President of the Academy since 2006 and elevated to his current position in February 2008 by OIC Secretary General Ekmeleddin Ihsanoglu, holds a master's, 1967, and doctorate, 1972, from Al Azhar University Faculty of Sharia and Law in Comparative Jurisprudence. END NOTE.) Al-Abadi explained that the the idea of the Academy was first proposed by the late Saudi King Khaled in 1981 in an effort to address contemporary problems in the Muslim world. Since its founding meeting in July 1983, representatives from around the Muslim world, including scholars from all four Islamic Schools of thought as well as Shi'a factions of Islam, have participated. A special planning session of the Academy meets yearly to determine the agenda for the following year's session and often works to

incorporate inquiries submitted by Muslim countries, organizations and institutions.

4.(SBU) Scholars and experts in the fields of economics, astronomy and medicine are invited to attend the yearly conference in order to provide guidance on issues. However, only members of the Academy,s Council have the power to issue rulings, or fatwas. According to Al-Abadi the Council is made up of 70 religious scholars from various schools of thought, all of whom are highly accomplished in the area of Fiqh. While there are currently no women on the Council, Al-Abadi said in recent sessions women have participated as experts. He added that he would not be surprised if some became members of the council in the near future.

RULINGS/FATWAS

5.(SBU) Al-Abadi noted that the Council has issued rulings on a wide range of issues such as artificial insemination, life support, credit cards, the role of women in society, trading currency, AIDS, charity, birth control and terrorism. Asked if the fatwas are followed by member states Al-Abadi said that &although not legally binding, the Academy,s rulings are respected and accepted by Islamic nations and institutions.⁸ He pointed to Islamic banking as an area in which the institution depended heavily on Council rulings.

¶6. (SBU)Al-Abadi said that not all issues are resolved during the session. Whenever the Council is unable to reach a conclusion on a matter, it simply postpones the ruling until the next session. For example in the Council,s second session meeting the issue of test tube babies was raised but was postponed to allow time &to make a thorough study of the subject so as to cover all its legal and medical aspects.⁸ The council subsequently ruled on the matter in the third session, forbidding artificial insemination involving unmarried men and women while permitting the process for

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married couples.

THE ISRAELI-PALESTINIAN CONFLICT: OBAMA SPEECH

"GREETED WITH GREAT INTEREST"

7.(C) Al-Abadi briefly commented on President Obama,s outreach efforts, saying that the President,s speech was &greeted with great interest⁸ and that the Academy has &studied it in detail.⁸ &I commend the President for his goodwill gesture and for articulating the need for dialogue. This approach should continue on a permanent basis,⁸ he said. Asked if the Council had addressed the issue of terrorism, Al-Abadi indicated that the Council was &very interested in the matter⁸ and had issued a detailed decision on terrorism in the 17th session held in 2006, roundly condemning it.

8.(C) Al Abadi strongly maintained that the Prophet Muhammad had established rules for waging just war, which included never harming innocent civilians. Asked whether in light of this principle the Council condemned acts of terrorism by violent Palestinian groups, Al-Abadi did not directly answer the question, but claimed that acts of terror by Palestinians were a &sign of desperation by a people who were hopeless and couldn,t see any solutions.⁸ He went on to argue that for this reason the world should first tackle underlying economic and social problems that Palestinians face.

CALL FOR NEW STRATEGY:

"MOST INFORMATION COMES FROM ISRAELI SOURCES"

9.(C) Asked his thoughts on President Obama's call for the Palestinians to abandon violent resistance, as a strategy that never succeeds, Al-Abadi said he agreed with the President and claimed that he and others have urged the Palestinians to unite and change their strategy. However, he commented that the realities of the conflict are not properly appreciated by the world since "most of the information comes from Israeli sources." For this reason he concluded the USG should continue its open dialogue with the Muslim world in order to &bring out the truth.⁸

COMMENT: THE ACADEMY'S "CONSTRAINTS"

10.(C) By incorporating the views of scientific and economic experts and those of scholars from all four Islamic schools of thought and Shi'a sects, the Islamic Fiqh Academy has been able to publish thoughtful and deliberative edicts that appear to carry weight in the Muslim world on issues related to finance, social rituals and medicine. However, as Al-Abaidi demonstrated, the Fiqh Academy is unable to address effectively or objectively concerns related to the Israeli-Palestinian conflict. While the Council has published strong statements condemning terrorism, the popularity of groups such as Hamas and Hezbollah in many of the OIC member states has constrained the degree to which the Council will work to condemn acts of terrorism perpetrated by these organizations. END COMMENT.

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